

TAB 5

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RECEIVED

MAY 1 2002

JUDGE RICHARD LEON

SCIMED LIFE SYSTEMS, INC.,

Plaintiff and Counterclaim-Defendant,

CASE NO. 1:01CV 2015 (RJL)

v.

MEDTRONIC AVE, INC.,

Defendant and Counterclaimant,

and ERIC C. MARTIN,

Defendant and Counterclaim-Defendant.

FILED

MAY - 2 2002

ANNECY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

**[PROPOSED] ORDER GRANTING SCIMED'S MOTION TO FILE UNDER SEAL
SCIMED'S OPPOSITION BRIEF AND THE DECLARATION OF GIDON D. STERN
IN SUPPORT OF SCIMED'S OPPOSITION TO MEDTRONIC'S REQUEST FOR
ENTRY OF DEFAULT JUDGMENT AS TO SCIMED**

The matter having come before the Court on plaintiff Scimed Life Systems, Inc. ("Scimed") Motion To File Under Seal (1) SCIMED'S MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO MEDTRONIC'S MOTION FOR ENTRY OF DEFAULT JUDGMENT AS TO SCIMED ("Scimed's Opposition Memorandum) and (2) the DECLARATION OF GIDON D. STERN in support of Scimed's Opposition Memorandum and attached exhibits to be filed under seal pursuant to Local Rule 5.1(j), and the Court having fully considered the arguments in support of and in opposition to that motion:

IT IS HEREBY ORDERED THAT:

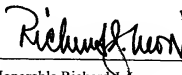
The aforementioned motion is GRANTED.

Scimed's Memorandum of Points and Authorities in Opposition to Metronic's Motion for Entry of Default Judgment As to Scimed ("Scimed's Opposition Memorandum) and the

DECLARATION OF GIDON D. STERN in support of Scimed's Opposition Memorandum and attached exhibits shall be filed under seal, with the exception that the memorandum, declarations and exhibits thereof shall be available to defendant, Medtronic AVE, Inc. and defendant, Eric C. Martin.

SO ORDERED.

Dated: May ⁸1, 2002



Honorable Richard J. Leon

United States District Judge for the
District of Columbia

**LIST OF PERSONS TO BE NOTIFIED
OF ENTRY OF ORDER**

Marcia H. Sundeen, Esq.
PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, D.C. 20006
Tel: (202) 496-4400
Fax: (202) 496-4444

Gidon D. Stern, Esq.
Thomas E. Friebe, Esq.
Alexandra N. Haner, Esq.
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 10036
Tel: (212) 790-9090
Fax: (212) 869-9741

Paul F. Prestia, Esq.
Joshua L. Cohen, Esq.
RATNER & PRESTIA
Suite 301, One Westlakes (Berwyn)
P.O. Box 980
Valley Forge, PA 19482-0908
Tel: (610) 407-0700
Fax: (610) 407-0701

Charles R. Work, Esq.
Donna M. Tanguay, Esq.
Mark G. Davis, Esq.
John R. Fuisz, Esq.
McDERMOTT, WILL & EMERY
600 Thirteenth Street, N.W.
Washington, D.C. 20005-3096
Tel: (202) 756-8029
Fax: (202) 756-8087

Robert J. Koch, Esq.
FULLBRIGHT & JAWORSKI
801 Pennsylvania Ave., N.W.
Washington, D.C. 20004
Tel: (202) 662-4765
Fax: (202) 662-4643